

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>8:98CR185</b>
<b>vs.</b>	)	
	)	<b>ORDER</b>
<b>RAMON HARRIS,</b>	)	
	)	
<b>Defendant.</b>	)	

Defendant Ramon Harris (Harris) appeared before the court on October 14, 2008, on the Petition for Warrant or Summons for Offender Under Supervision (Report) (Filing No. 64). Harris was represented by First Assistant Federal Public Defender Shannon P. O'Connor and the United States was represented by Assistant U.S. Attorney Michael P. Norris. Through his counsel, Harris waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that Harris should be held to answer for a final dispositional hearing before Chief Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Harris declined to present any evidence on the issue of detention and otherwise waived a detention hearing but did proffer he would live with his cousin, obtain employment, participate in drug screening, and abide by the conditions of his supervised release. Since it is Harris's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Harris has failed to carry his burden and that Harris should be detained pending a dispositional hearing before Chief Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:00 p.m. on November 5, 2008**. Defendant must be present in person.

2. Defendant Ramon Harris is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 14th day of October, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge